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Security Council

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# Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan

## Note verbale dated 6 July 2012 from the Permanent Mission of Latvia to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Republic of Latvia to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan.

With reference to the note verbale dated 4 June 2012 on the submission of the report on the implementation of Security Council resolution 2035 (2012), and in accordance with paragraph 13 of that resolution, Latvia submits its report herewith (see annex).

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## Annex to the note verbale dated 6 July 2012 from the Permanent Mission of Latvia to the United Nations addressed to the Chairman of the Committee

## National implementation report

### 1. Implementation at the European Union level

The Republic of Latvia and the other member States of the European Union have jointly implemented the restrictive measures against the Sudan imposed by Security Council resolutions 1556 (2004), 1591 (2005) and 1945 (2010) by taking the following common measures[1] and the respective national measures:

- Council Decision 2011/423/CFSP of 18 July 2011 concerning restrictive measures against Sudan and South Sudan and repealing Common Position 2005/411/CFSP.[2] The Council Decision sets out the commitment of the European Union to the implementation of the following measures contained in Security Council resolutions 1556 (2004) and 1591 (2005): restrictions of admission; freezing of funds and economic resources; and embargo on arms and related material. It also provides for a ban on provision of certain services (technical and financial assistance as regards arms and related materiel).

- Council Regulation (EC) No. 131/2004 of 26 January 2004 concerning certain restrictive measures in respect of Sudan[3] as amended by Council Regulation (EC) No. 1353/2004,[4] Commission Regulation (EC) No. 1516/2004,[5] Council Regulation (EC) No. 838/2005,[6] Commission Regulation (EC) No. 1354/2005,[7] Council Regulation (EC) No. 1791/2006[8] and Council Regulation (EU) No. 1215/2011.[9] The Council has adopted this Regulation to implement those measures provided for in Council Decision 2011/423/CFSP that fall under the competence of the Union, in particular, a ban on provision of certain services (technical and financial assistance as regards arms and related materiel). Council Regulations are binding in their entirety and directly applicable in mem. er States of the European Union, including the Republic of Latvia. No national implementation measures are therefore necessary in this respect.

[1] All common measures are published in the *Official Journal of the European Union*.
[2] *Official Journal of the European Union* L 188, 19.7.2011, p. 20.
[3] *Official Journal of the European Union* L 21, 28.1.2004, p. 1.
[4] *Official Journal of the European Union* L 251, 27.7.2004, p. 1.
[5] *Official Journal of the European Union* L 278, 27.8.2004, p. 15.
[6] *Official Journal of the European Union* L 139, 26.5.2005, p. 3.
[7] *Official Journal of the European Union* L 213, 18.8.2005, p. 11.
[8] *Official Journal of the European Union* L 363, 20.12.2006, p. 1.
[9] *Official Journal of the European Union* L 310, 25.11.2011, p. 1.

- Council Regulation (EC) No. 1184/2005 of 18 July 2005 imposing certain specific restrictive measures directed against certain persons impeding the peace process and breaking international law in the conflict in the Darfur region in Sudan[10] as amended by Commission Regulation (EC) No. 760/2006,[11] Council Regulation (EC) No. 1791/2006[12] and Commission Regulation (EC) No. 970/2007.[13] The Council has adopted this Regulation to implement those measures provided for in Council Decision 2011/423/CFSP that fall under the competence of the Union, in particular freezing of funds and economic resources. Council Regulations are binding in their entirety and directly applicable in member States of the European Union, including the Republic of Latvia. No national implementation measures are therefore necessary in this respect.

- Council Regulation (EC) No. 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (and its subsequent amendments).[14] The Regulation requires nationals of the Sudan to be in possession of a visa when entering the European Union. The respective restrictions of admission are therefore implemented through the visa application process.

- Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment.[15]

## 2. Implementation at the national level

In addition, the Republic of Latvia has the following national legislation requiring an export authorization for the sale, supply, transfer or export of arms and related materiel to third countries,[16] an authorization for the provision of services related to military activities and requirement of end-user documentation as regards the sale or supply of arms and related materiel not prohibited under Security Council resolutions:

(a) Law on the circulation of goods of strategic significance of the Republic of Latvia,[17] adopted on 21 June 2007;

(b) Regulations of the Cabinet of Ministers of the Republic of Latvia No. 657: Procedure of issuance or refusal of issuance of licences for goods of strategic significance and the related documents to circulation of goods of strategic significance,[18] adopted on 20 July 2010.

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[10] *Official Journal of the European Union* L 193, 23.7.2005, p. 9.
[11] *Official Journal of the European Union* L 132, 19.5.2006, p. 28.
[12] *Official Journal of the European Union* L 363, 20.12.2006, p. 1.
[13] *Official Journal of the European Union* L 215, 18.8.2007, p. 16.
[14] *Official Journal of the European Union* L 81, 21.3.2001, p. 1.
[15] *Official Journal of the European Union* L 335, 13.12.2008, p. 99.
[16] This legislation should apply to all goods included in the Common Military List of the European Union, *Official Journal of the European Union* C 86, 18.3.2011, p. 1.
[17] Official Gazette of the Republic of Latvia *Latvijas Vēstnesis* No. 107, 05.07.2007.
[18] Official Gazette of the Republic of Latvia *Latvijas Vēstnesis* No. 122, 04.08.2010.

The penalties determined by the Republic of Latvia as regards infringements of the restrictive measures are set out in the Criminal Law[19] of the Republic of Latvia, adopted on 17 June 1998, in particular section 84, under which the violation of sanctions imposed by international organizations are criminalized and the applicable penalties determined.

[19] Official Gazette of the Republic of Latvia *Latvijas Vēstnesis* No. 199/200, 08.07.1998.